

Application No. 10/064,607
Docket No. 17MY-7089
Amendment dated January 8, 2004
Reply to Office Action of October 8, 2003

REMARKS

In the Office Action, the Examiner reviewed claims 1-20 of the above-identified US Patent Application, with the result that claims 1-15 were rejected under 35 USC §112, first paragraph, claims 16-20 were rejected under 35 USC §112, second paragraph, claims 1, 2, 5-9, and 12-15 were rejected under 35 USC §103, and claims 3, 4, 10, 11 and 16-20 were deemed to recite allowable subject matter. In response, Applicants have amended the claims as set forth above. More particularly:

Independent claims 1 and 9 have been amended to overcome the rejection of claims 1-15 under 35 USC §112, first paragraph.

Dependent claim 17 has been canceled to overcome the rejection of claims 16-20 under 35 USC §112, second paragraph. As such, independent claim 16 and its remaining dependent claims 18-20 are believed to be in condition for allowance.

Independent claims 1 and 9 have been amended to incorporate the limitations of their respective dependent claims 3 and 10, pursuant to the Examiner's conclusion that claims 3 and 10 recite allowable subject matter. As such, independent claims 1 and 9 and claims depending therefrom are believed to be allowable over the prior art of record.

In view of their limitations being incorporated into parent claims 1 and 9, claims 3 and 10 have been amended to recite a tantalum range of 0.01% to 0.09%, which is encompassed by the range of "less than 0.1%" originally recited by claims 3

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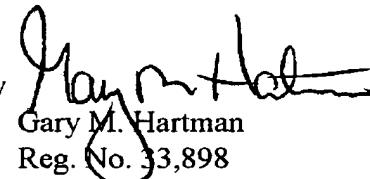
and 10. Support for these amendments can also be found in Table 1 of Applicants' specification.

Applicants believe that the above amendments do not present new matter. Instead, Applicants believe that the amendments to the claims are limited to complying with the Examiner's determination that claims 3, 4, 10, 11 and 16-20 recite allowable subject matter, as well as overcoming the rejections under 35 USC §112 so as to remove such issues for appeal. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 USC §§102, 103 and 112.

In view of the above, Applicants respectfully request that their patent application be given favorable reconsideration.

Should the Examiner have any questions with respect to any matter now of record, Applicants' representative may be reached at (219) 462-4999.

Respectfully submitted,

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